A G E N D A
600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232-2736
TEL 503-797-1700 FAX 503-797-1797



MEETING: DATE: TIME: PLACE:	Thursday, May 22, 20 10:00 a.m. to 11:45 a			
5 mins. I,	Call to Order Introductions and annour Approval of minutes*	ncements	David	d Bragdon
10 mins. II.	Director's Update	***************************************	Janet	Matthews
45 mins. III.	Discussion item: After plocal business groups and	Requirements Ordinand policy direction from Metro delected officials, this draft cussion. SWAC action is s	Council and outreach to ordinance is now before	a McGuire
40 mins. IV.	Update: Findings from s	ject*takeholder outreach, recen outcomes for the project wi	t direction from Council,	Anderson
5 mins. V .	Other business and a	djourn	David	l Bragdon
	Included in the meeting packe	t Proximate. Items may not be co	neidarad in the exact order lies	od.
Chair: Council Pre	s isted on this agenda are app esident David Bragdon 797-1889)	Staff: Janet Matthews (503-797-1826)	Committee Clerk: Gina (503-797-1645	a Cubbon

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ATTACHMENT

SWAC Agenda Item I May 22, 2008

Regional Solid Waste Advisory Committee (SWAC) April 24, 2008 Meeting Minutes



600 NE Grand Ave. Portland, OR 97232-2736

MINUTES OF THE METRO SOLID WASTE AND RECYCLING COMMITTEE (SWAC) MEETING Metro Regional Center, Council Chambers

Thursday, April 24, 2008

Members / Alternates Present:

David Bragdon, Chair	Bruce Walker	Theresa Koppang
Mike Hoglund	Susan Steward	Anita Largent
Glenn Zimmerman	Dave White	Mike Miller
Janet Malloch	Ray Phelps	Jeff Murray
Mike Leichner	Rick Winterhalter	Dean Kampfer
Dave Garten	JoAnn Herrigel	Paul Edwards

Guests and Metro staff:

Steve Apotheker	Larry Harvey	Kristin Lieser
Jim Watkins	Matt Tracy	Bryce Jacobson
Matt Korot	Jennifer Erickson	Scott Klag
Segeni Mungai	Tristan Whitehead	Heidi Rahn
Easton Cross	Roy Brower	Warren Shoemaker
Angie Marzano	Wendy Fisher	Paul Ehinger
Loretta Pickerell	Meg Lynch	Susan Moore
Alison Cable	Tim Brogan	Julie Cash
Karen Feher	Dana Warn	Gina Cubbon

- · Council President Bragdon called the meeting to order promptly at 10:00 a.m.
- Councilor Bragdon asked for any changes or comments to the previous SWAC meeting's minutes (from February, as there was no meeting held in March). Waste Management's Dean Kampfer moved to accept the minutes as written; Allied Waste's Ray Phelps seconded the motion, and the members present voted unanimously to adopt the minutes.

II. Director's Update......Mike Hoglund

- "Good news for Metro, bad news for [the City of] Gresham," Mr. Hoglund announced. Matt Korot
 (formerly of the City) was introduced as Metro's new Waste Reduction & Outreach Division
 Manager, following the retirement of Lee Barrett.
- As of May 1, Metro will sport a new domain name: www/oregonmetro.gov. This will change staff
 email addresses, as well (Firstname.Lastname@oregonmetro.gov). The old website and email
 addresses will continue to work indefinitely.
- The Waste Allocation Study will be discussed at the May 6 Council Work Session, relative to
 renewing the franchises with private transfer stations and their allocated waste this year. Other
 related issues have popped up and are being looked into; however, based on the findings of the selfhaul study, Metro is not planning to change or expand on current practices at this time, Mr. Hoglund

- said. Such changes might require site improvements and labor capital that likely couldn't be done in time, and sufficient self-haul services are currently available.
- A new, per-ton tipping fee of \$74.75 for Metro's transfer stations has been recommended to the Metro Council by the Rate Review Committee. The \$3.34 increase was caused by a combination of inflation in program and operation costs. Looking ahead, the Committee discussed how the rate can be kept somewhat predictable and avoid large increases. Mr. Hoglund thanked all the members and many staff by name for their work; the Committee's recommendations will be forwarded to the Council.
- An evaluation team reviewed the proposals that were submitted for the Waste Transport Contract. The team's recommendations have been forwarded to a negotiation team; results should be forthcoming in late May or early June. The new contract will be at market rate + inflation, so a \$3-4 increase in the rate is anticipated beginning in FY 2009-10.
- Also related to the rate, Councilor Bragdon interjected that Councilor Burkholder has proposed adding \$1 to the Regional System Fee for waste reduction education in outdoor school programs.
- While there had been support for using the RSF to help fund diesel particulate filter retrofits for
 collection trucks, the Office of Metro Attorney deemed it an inappropriate use for solid waste funds.
 Council will discuss the possibility of applying for an EPA grant for the retrofit program, Mr.
 Hoglund added. Such a grant may require matching funds from Metro.
- Next, Mr. Hoglund gave a status report of the Business Recycling program. Metro Councilors and staff have been meeting with local business associations and elected officials since the start of February; more than 300 business representatives and elected officials have participated. Results from 67 questionnaires submitted by attendees of those meetings indicates that nearly 59% support recycling requirements, while 25% disagree with having requirements (16% were unsure). More meetings are scheduled through May; results will be presented to SWAC and MPAC, and a presentation made at a Council Work Session on July 15.
- Regarding the Landfill Standards Report, staff presented the results to Metro Council on April 1. The report examines options for environmental protection at the limited and general purpose landfills that accept Metro region waste (through designated facility agreements). Three options and assessed risks were offered: 1) No change to current Code and DFA requirements; 2) Require that the landfills involved comply with Subtitle D requirements; of 3) Add key Subtitle D requirements to Metro's existing requirements (liner system, leachate collection, load inspections). Council directed staff to move forward with draft requirements around the third option. The report and proposed requirements will be presented for discussion at the next SWAC meeting.

The goal of this agenda item is to collect SWAC's comments regarding changes to the revised ordinance for the Regional Solid Waste Management Plan prior to discussing the same with MPAC. Key issues were identified (primarily relating to the compliance and enforcement components of the service standards) and discussions held with several local governments. Results of those meetings are reflected in the new draft Ordinance, included in the agenda packet.

While there are service standards included in the RSWMP, Mr. Hoglund explained, local governments are allowed to implement alternative formats. (A chart showing the framework is attached.) The advent of roll cart collection, for instance, led to some local governments wishing to alter collection to every other week. Currently, jurisdictions have to prove that alternative formats such as this performed as well or better than the standard; Metro's Solid Waste & Recycling Director would then approve or deny the change. Upon review of the RSWMP, the Office of Metro Attorney pointed out that if requirements are instituted, they would necessitate

enforcement. Staff therefore needed to develop a new RSWMP chapter to address this issue; however, not enough time was given for people to discuss and understand the purpose of the new chapter.

Key factors of the new Ordinance are that it establishes the new chapter, defines Metro's authority, establishes compliance procedures, and gives more options to local governments for meeting the principal recycling standards. The penalties spelled out in the first draft Ordinance caused some alarm, Mr. Hoglund noted. That language has been eliminated. Mr. Hoglund walked the attendees through all the changes to the draft Ordinance.

Questions / Comments:

- Washington County's Theresa Koppang said that the jurisdictions in that county have the highest number of
 alternative programs in place. She thanked Metro staff for the revisions, and was pleased the penalties were
 removed. The new draft will be presented to her Council.
- David White (Oregon Refuse & Recycling Association) commented that in spite of the changes to the
 Ordinance, the RSWMP document still states that there will be enforcement; he's curious if the smaller
 jurisdictions will ultimately support the document. He outlined research he did of some correspondence on
 the issue written 14 years ago by DEQ. At that time, Metro's Office of the Attorney stated enforcing the
 Plan would be difficult; they proposed that Metro only review alternative programs that weren't doing well,
 and that the review be brought before SWAC.

Additionally, Mr. White said that he was apprehensive regarding the term "Regional Standard." Is that defined as an average, not taking demographics into account?

Mr. Hoglund replied that jurisdictions are compared to themselves – Sherwood to Sherwood, for example. Insofar as trying to judge new programs against old, Mr. Hoglund said that Metro is open to discussing revisions to the standard because of recent changes in the system such as every-other-week collection.

Councilor Bragdon summarized Mr. White's concerns: How the programs are evaluated, and Metro's authority. Regarding program evaluation, worries about methodology and who would be conducting the evaluations are certainly valid, the Councilor said: Every program needs to somehow be measured. The new draft Ordinance is being taken to MPAC to find if there is still a high level of discomfort. Metro's authority is subject to the interpretation of state law by DEQ.

Loretta Pickerell (DEQ) said that in the letter Mr. White referenced earlier, the question of DEQ's position regarding Metro authority was not addressed "...because that wasn't the question being asked at that point in time." She believes the DEQ agrees with Metro regarding authority, but will get a definitive answer for the Committee.

The point, Mr. Hoglund assured the group, was for the Plan to improve recycling throughout the region. Bodies such as SWAC can have some involvement in approving alternative programs.

Ms. Koppang noted that a significant amount of work goes on between Metro and the local governments. Of course there is tension sometimes, but it's a good, solid vetting process. The City of Portland's Bruce Walker agreed, saying that Metro plays an important coordinating role; a solid framework and enforceability are necessary. Mr. White maintained that most haulers and local governments disagree with Metro on the issue.

Mr. Kampfer would like clarification of "regional standards." In addition, he would like to see discussion of
the Plan's statement that yard debris should only be composted: Yard debris is often used as hog fuel.
Also, the Plan mentions motor oil, which is not collected from commercial businesses.

Councilor Bragdon thanked the members for their comments prior to excusing himself to another meeting.

IV. Annual Waste Reduction Plan (Year 19)................................Jennifer Erickson

Ms. Erickson used a PowerPoint presentation (attached) to illustrate the Year 19 Waste Reduction Plan, a cooperative plan between Metro and local governments. Local jurisdictions develop an annual implementation plan, which Metro reviews. After any necessary revisions, an Intergovernmental Agreement is executed with each of the participating jurisdictions, and per capita funding is released. The program has the flexibility to change in response to new conditions as they develop, offering a coordinated and consistent approach to reaching the state recycling goals.

Ms. Koppang told the SWAC members how the Plan works for Washington County. This year, the County will do stronger outreach to the Spanish-speaking community, and will develop a durable bag program. Last year, the County used funds to sponsor a Master Recycler event that presented information about MRFs. In addition, there are plans to increase efforts against illegal dumping. Metro was extremely helpful in this and did a lot of upfront design, Ms. Koppang concluded.

For the City of Portland, Mr. Walker said that funds received from the Plan benefit everyone. The City is sending out staff to work on a smooth transition to roll carts by talking with haulers and residents. Also, more emphasis is being put on commercial, organics, and construction recovery this year. Substantial progress has been made; the region should be proud of its recycling results, he said, but there is much to be done. In order to meet the aggressive goals set by the state, Mr. Walker stressed, more emphasis and funding needs to go towards business recycling, diesel retrofits, etc.

Ms. Erickson resumed her portion of the presentation. After a recap of Resolution No. 08-3927 (which, if approved, will put the Year 19 Plan into action), the floor was opened for questions.

Questions / Comments:

- Many haulers pick up multi-family in the same loads as commercial; this makes it difficult to get an
 accurate measurement.
- A serious look should be taken at the quantity of newspaper being generated currently, as opposed to before the Internet became a popular news source.
- Pavement that is ground onsite isn't counted as "recovered," yet it doesn't go to the landfill. Pavement that
 isn't ground but taken to the landfill is counted as disposal, but if it's ground up, it simply doesn't show up
 in the numbers. This is significant because more construction sites are grinding on-site.
- There is very little market for roofing material. Perhaps local jurisdictions could mandate adding asphalt roofing to their road asphalt mix. (Bryce Jacobson of Metro commented that at this time, ODOT has not approved using asphalt shingles, but Metro is working on that.)
- The recovery category of "other" shown in the presentation represents over half the amount needed to reach
 the 2009 goal. (Metro's Meg Lynch said this category includes Bottle Bill recoverables, which will increase
 recovery. Drop box locations and "other business recyclables" such as wood waste and scrap metal are
 extremely hard for programs to influence.)
- What about waste prevention? The plan doesn't address the front end, yet more waste is being generated
 and disposed per capita than ever before. (Ms. Erickson said that each focus area program plan starts with
 prevention as the first goal. It's a huge challenge, but is being addressed primarily through education and
 outreach. Ms. Pickerell added that the DEA has a new, 10-year waste prevention strategy; she'll bring it for
 a SWAC meeting.)
- The City of Portland's technical assistance to businesses includes education on duplexing and other waste prevention practices. They are also reaching out to architects and the construction industry to encourage reusing building materials.

JoAnn Herrigel of the City of Milwaukie moved to accept the Year 19 Plan and recommend it to Council. Dave Garten seconded the motion, which passed unanimously.

Paul Ehinger presented information regarding the study of self-hauling practices (see attached PowerPoint printout). Metro's transfer stations receive approximately half of the public's self-hauled waste, and the percentage is increasing, he said. Unfortunately, most self-haul includes very little recoverable material.

The study looked at business and public self-haul loads as separately as possible. Businesses with accounts at the transfer stations were separated from the other self-haul loads. However, those businesses which do not have accounts slipped into the "public" category. 71% of business self-haul is construction debris; other than that, no single business type made up more than 3% of the business category.

Just over two-thirds of public self-haul is residential. Of those customers, 86% have curbside collection. Much of the remaining 14% are from rural areas that are less likely to have curbside collection. (10% of Metro South's self-haul customers have no curbside collection.) Economics also factor in, Mr. Ehinger explained; lower income levels tend towards self-haul. On the whole, however, the study shows that people self-haul because they have a large load (too large for curbside), or because their load is made up of bulky waste items (mattresses, for instance). There's no system in place for bulky items to be recovered.

Options such as mandatory collection would not eliminate self-haul, Mr. Ehinger continued. Raising the minimum rate for self-haul at Metro's transfer stations could help increase load sizes, thereby decreasing traffic, and restricting the hours that self-haul is accepted is being considered. No evidence was found, however, that an outright ban on self-hauling has worked anywhere.

Next steps will include looking further into alternatives, talking to stakeholders, and developing recommendations with the help of SWAC.

V. Other Business and Adjourn......Mike Hoglund

No other business was brought to the table; Mr. Hoglund adjourned the meeting at 11:59 a.m.

Prepared by:

Gina Cubbon Administrative Specialist Metro Solid Waste & Recycling Department

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Policy and Regulatory Framework/Local Government Compliance Status

Waste Reduction Programs, March 2008

Policy Direction RSWMP

Ordinance 07-1162A

RSWMP Policy and program elements (Chapters 3, 4 and 5)

Guidance document

RSWMP Implementation (Chapter 6)

- Coordination
- Annual waste reduction work plans
- Education services
- Hazardous waste management
- Products stewardship
- Plan performance

RSWMP Compliance (Chapter 6)

- Regional service standard (only RSWMP program currently required)
- Alternative Program Review Material types Collection frequency Recovery levels

Attachment to SWAC Meeting Summary - April 24, 2008

Regulatory Framework Chapter 5.10 Metro Code

Ordinance 08-1183

Establishes new Chapter 5.10 of Metro Code

Establishes distinction between voluntary/required RSWMP provisions

Defines Metro authority

Establishes compliance procedures

- SWR Director decision
- COO/Council appeal
- Council exceptions

Identifies regional service standard as required

No other required programs (If approved, business recycling requirements would be added to Chapter 5.10)

Local Govt. Compliance Status Regional Service Standard

COMPLIANCE All Metro cities and counties exercising solid waste authority

NONCOMPLIANCE None

ALTERNATIVE PROGRAM REVIEWS IN PROGRESS

Sherwood

- Monthly glass, every-other-week recycling under evaluation;
- Meeting pending

Tigard

- Monthly glass under evaluation
- Meeting pending

Washington county (unincorporated)

- · Every-other-week recycling test
- Final data and decision in 2009

Hillsboro

- · Every-other-week recycling test
- Final data and decision in 2009

Annual Waste Reduction Plan (Year 19)

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Resolution 08-3927

- Appropriates \$2.67 million to programs
- Approves the format and framework for Year 19 of the Annual Waste Reduction Plan
- Enables local governments and Metro to develop their plans and begin the program implementation process

The Annual Waste Reduction Plan

- Cooperative Metro/local government plans to implement the Regional Solid Waste Management Plan
- Developed and reviewed annually
- In place since 1990



Why an Annual Work Program?

- Increases regional efficiency, reduces duplication
- Offers a coordinated, consistent regional approach
- Presents a unified effort to reach state goals

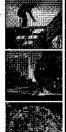
Two Plan Elements

- 1. Existing Programs (Maintenance)
 - Per capita allocations (\$695,851 approp.)
 - \$0.45 per resident/per year
 - No back-sliding



Two Plan Elements (cont.)

- Regional Program Areas Year 19
 - Multi-family
 - Building Industry
 - Business
 - Commercial Organics



Multi-Family Work Plan Summary

- Implement two-sort collection program
- Continue new regional outreach to property owners and managers
- Develop region-wide recycling outreach for residents
- \$230,000 approp.

Renewed emphasis

Building Industry Work Plan Summary

- Implement a region-wide dry waste recovery program
- · Implement a dry waste sampling program
- · Expand awareness and use of BoneyardNW
- \$293,000 approp.

Focus on refreshing outreach to industry

Business Recycling Work Plan Summary

- Increase technical assistance to business (Recycle at Work)
- Conduct major business outreach campaign
- Establish standards to increase business recycling
- \$1,312,000 approp.

Accelerate program to reach recycling target

Commercial Organics Work Plan Summary

Continue to provide infrastructure grants

- Assist with development of in-region food waste composting facility
- Assist local jurisdictions with expansion and development of collection programs
- \$145,000 approp.

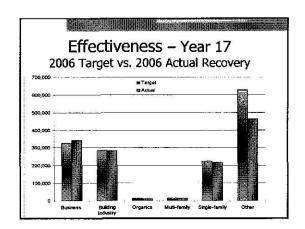
Emphasis is on siting local facility

Assessing Yearly Program Performance

- Effectiveness (regional recovery; recovery by generator sector)
- Accountability (implementation of the work plan)

Effectiveness – Year 17 Regional Recovery

- 2006: 55.5% Recovery Rate, down from 59% in 2005
- Recovery fell 444,000 tons short of region's 2009 goal
- Per-capita waste generation leveled off at 1.72 tons per year compared to 1.73 tons per year in 2005

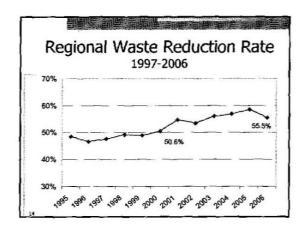


Accountability – Year 17 (2006-07)

Goal: 90% work plan completion

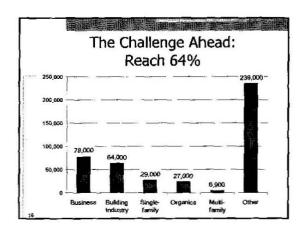
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- · Business, 92% completion
- Organics, 75% completion
- · Building Industry, 90% completion
- · Multi-family, 83% completion
- · Local Government, 100% completion



Environmental Benefits of 2006 Recovery

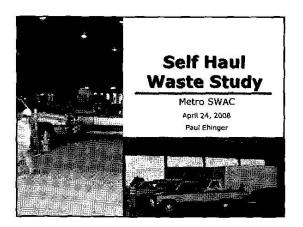
- Paper recycling = the equivalent of eight million trees or eight Forest Parks
- Energy savings from recycling and energy recovery = 15 trillion Btu; enough to power 145,000 households for a year
- Greenhouse gas reductions from recycling = 1.9 million metric tons of carbon dioxide equivalents, or 408,000 fewer cars on the road for a year

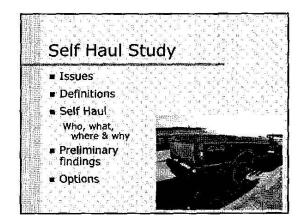


Resolution No. 08-3927

This resolution:

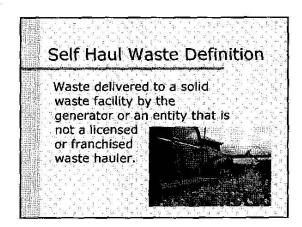
- · Appropriates \$2.67 million to programs
- Approves the format and framework for Year 19 of the Annual Waste Reduction Plan
- Enable local governments and Metro to develop their plans and begin the program implementation process





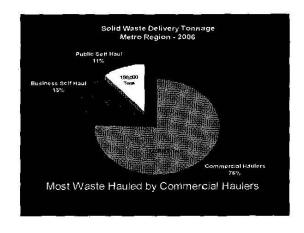
Self Haul Study Issues

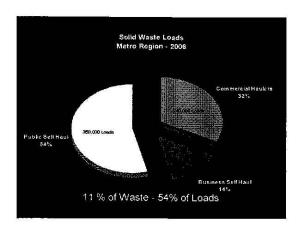
- The volume of self hauled waste is increasing and the facility handling the greatest amount of this waste is nearly at capacity.
- Recovery rates are low for self haul waste at the region's facilities.

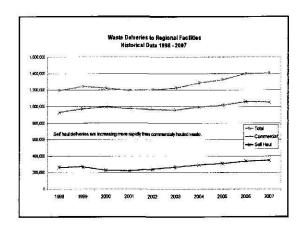


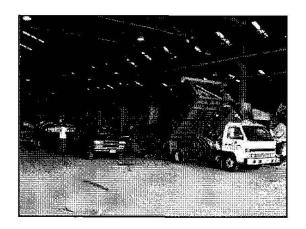
Types of Self Haul

- Business Self Haul Waste hauled by businesses who maintain an account at one or more solid waste facilities.
- Public Self Haul Waste hauled by residents and small businesses that pay by cash or credit card.







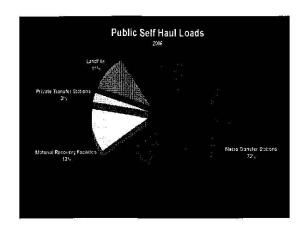


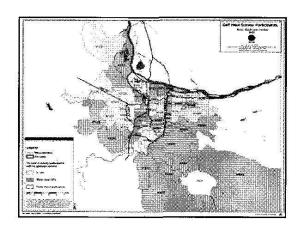
Business Self Haul

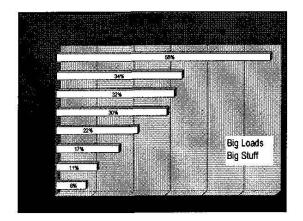
- 71% Construction waste
- No other businesses account for over 3% of waste
- Residential Cleanup is 4,000 tons (2%)
 - e.g. 1-800 Got Junk
- 190,000 Tons in 91,000 loads
- More than 50% delivered to landfills

Public Self Haul

- 76% Residential
 86% subscribe to collection (Metro)
- 24% Businesses (Metro) 67% Contractors
- 150,000 tons in 360,000 loads
- Average Load 860 lbs (.43 tons)
- Residential loads are about 600 lbs

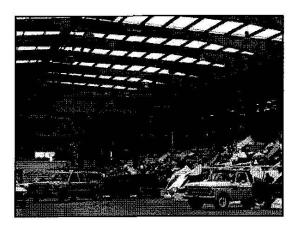






Business Self Haul Findings

- Operational
 - · Load sizes are typical for dry waste
 - · Residential clean up is not significant
- Recovery
 - EDWRP
 - Other Metro programs
- Additional efforts not required



Public Self Haul Findings

- Primarily Residential
- Large quantities or large items
- Resident's large is facility's small
- New recovery options are needed
- Mandatory collection will not eliminate self hauling



Public Self Haul Alternatives

Operational

- Increase Supply
 - Facilities
- Demand Management
 - Hauling options
 - Economic
 - Regulatory



Public Self Haul Alternatives

Recovery

- Taking advantage of Source Segregation
- Pricing incentives
- Recovery oriented facilities *



Options

Demand Management

- Have haulers provide periodic lower cost bulky or large quantity collection*
- Restructure Metro rates
 - Higher Minimum
 - · Reduced off-peak rates
 - Tiered system fee
- Provide more frequent clean-up events

*(Requires local government action)

Options

Demand Management

- Ban self haul
- Restrict hours self haul delivery
- No wet waste



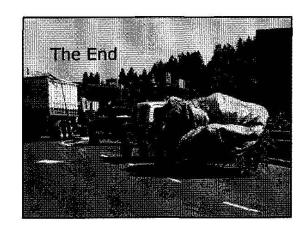
Options

Increase Supply

- New Facilities
- Self haul recycling depots
- · Additional transfer station
- · Improve existing facilities
- Utilize existing capacity
 - Require private facilities to handle self

Next Steps

- Complete description of alternative approaches.
- Discuss options with stakeholders.
- Identify alternative approaches most likely to address problems.
- Cost and effectiveness of alternatives:
- Prepare recommendations.



ATTACHMENT SWAC Agenda Item III May 22, 2008

Business Recycling Requirements Ordinance

--DRAFT--CHAPTER 5.10 REGIONAL SOLID WASTE MANAGEMENT PLAN

**The following will be added to the existing elements of Chapter 5.10:

5.10.010 Definitions

Business Recycling Requirement

- 5.10.310 Purpose and Intent
- 5.10.320 Implementation Alternatives for Local Governments
- 5.10.330 Business Recycling Requirement Performance Standard
- 5.10.340 Metro Enforcement of Business Recycling Requirement
- 5.10.350 Metro Model Ordinance Required

5.10.010 Definitions

- () "Business" means any public or private corporation, industry, partnership, association, firm, city, county, special district, and local governmental unit, excluding entities that occupy less than 50 percent of the floor area of a residential building.
- () "Business Recycling Service Customer" means a person who enters into a service agreement with a waste hauler or authorized recycler for business recycling services.
- () "Person" shall have the meaning assigned thereto in Metro Code Section 1.01.040.
- () "Recyclable Material" shall have the meaning assigned thereto in Metro Code Section 5.01.010
- () "Recycle" or "Recycling" shall have the meaning assigned thereto in Metro Code Section 5.01.010.
- () "Source Separate" or Source Separated" or "Source Separation" shall have the meaning assigned thereto in Metro Code Section 5.01.010.

Business Recycling Requirement

5.10.310 Purpose and Intent

A significant increase in business recycling will assist the Metro region in achieving waste reduction goals. The Business Recycling Requirement provides an opportunity for businesses to work with local governments to provide recycling education, to create a consistent standard throughout the Metro region, and to increase recycling, thereby assisting the Metro region in meeting recovery goals.

5.10.320 Implementation Alternatives for Local Governments

- (a) By January 1, 2009, local governments shall comply with this title by implementing the Business Recycling Requirement in one of the following ways:
 - (1) Adopt a Business Recycling Requirement Model Ordinance and either establish compliance with that Model Ordinance or enter into an intergovernmental agreement with Metro that provides for Metro to establish compliance for the local government; or
 - (2) Demonstrate that existing local government ordinances comply with the performance standard in Section 5.10.330 and the intent of this title.
- (b) The local government shall provide information related to the local government's implementation of the Business Recycling Requirement at the Director's request or as required by the administrative procedures.

5.10.330 Business Recycling Requirement Performance Standard

- (a) The following shall constitute the Business Recycling Requirement performance standard:
 - (1) Businesses shall source separate all recyclable paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans;

- (2) Businesses and business recycling service customers shall provide recycling containers for internal maintenance or work areas where recyclable materials may be collected, stored, or both; and
- (3) Businesses and business recycling service customers shall post accurate signs where recyclable materials are collected, stored, or both that identify the materials that the business must source separate and that provide recycling instructions.
- (b) Local governments shall establish a method for ensuring business compliance.
- (c) Local governments may exempt a business from some or all of the Business Recycling Requirement if:
 - (1) The business provides access to the local government for a site visit; and
 - (2) The local government determines during the site visit that the business cannot comply with the Business Recycling Requirement because of space or economic restrictions.

5.10.340 Metro Enforcement of Business Recycling Requirement

Upon a request by a local government under Section 5.10.320 to enter into an intergovernmental agreement, Metro shall perform the local government function to ensure business compliance the Business Recycling Requirement as follows:

- (a) Provide written notice to a business that does not comply with the recycling requirement. The notice of noncompliance shall describe the violation, provide the business an opportunity to cure the violation within the time specified in the notice, and offer assistance with compliance to the business.
- (b) Issue a citation to a business that does not cure a violation within the time specified in the notice of noncompliance. The citation shall provide the business

with an additional opportunity to cure the violation within the time specified in the citation and shall notify the business that it may be subject to a fine.

(c) Assess a fine to a business that does not cure a violation within the time specified in the citation. The notice of assessment of fine shall include the information required by Metro Code Section 5.09.090. Metro shall serve the notice personally or by registered or certified mail. A business may contest an assessment by following the procedures set forth in Metro Code Section 5.09.130 and 5.09.150.

5.10.350 Metro Model Ordinance Required

Metro shall adopt a Business Recycling Requirement Model Ordinance that includes a compliance element. The Model Ordinance shall represent one method of complying with this title. The Model Ordinance shall be advisory and local governments are not required to adopt the Model Ordinance, or any part thereof, to comply with this title. Local governments that adopt the Model Ordinance in its entirety shall be deemed to have complied with the requirements of this title.

Model Ordinance - Business Recycling Requirements

Business Recycling Model Ordinance

- (a) Businesses shall recycle as follows:
 - (1) Businesses shall source separate all paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans;
 - (2) Businesses and business recycling service customers shall provide recycling containers for internal maintenance or work areas where recyclable materials may be collected, stored, or both; and
 - (3) Businesses and business recycling service customers shall post accurate signs where recyclable materials are collected, stored, or both that identify the materials that the business must source separate and that provide recycling instructions.
- (b) A business may seek an exemption from the requirement in subsection (a) if:
 - (1) The business provides access to the [name of local government] for a site visit; and
 - (2) The [name of local government] determines during the site visit that the business cannot comply with the Business Recycling Requirement because of space or economic restrictions.
- (c) To assist businesses in compliance with this section, the [name of local government] shall:
 - (1) Notify businesses of the Business Recycling Requirement;
 - (2) Provide businesses with education and technical assistance to assist with meeting the requirements of this section; and

- (3) Monitor and verify business compliance with this section.
- (d) [name of local government] shall ensure business compliance with this section by doing one or more of the following:
 - (1) Providing a business with an opportunity to cure any noncompliance with this section.
 - (2) Developing a compliance schedule.
 - (3) Issuing civil fines.











Metro | People places. Open spaces.

DRAFT

Proposed Business Recycling Requirements Stakeholder Feedback Summary May 2008

BACKGROUND

Businesses generate almost half of the region's garbage and each year dispose more than 100,000 tons paper and containers that could otherwise be recycled. Over the past eight years, Metro and its local government partners have invested \$3.5 million to encourage more business recycling by providing free technical assistance. Now, Metro is considering mandatory recycling of paper and containers for all businesses in the region.

Metro explored options for increasing business recycling by convening public/private work groups and conducting stakeholder outreach from 2003 to 2007. More than 1,000 people provided advice on approaches for increasing business recycling.

The proposed program, Business Recycling Requirements, would make it mandatory for local businesses to recycle all types of paper and certain containers such as plastic bottles, aluminum cans and glass. If the Metro Council approves this proposal as currently drafted, all local governments in the region would be responsible for formally adopting these business recycling requirements by January 1, 2009.

STAKEHOLDER OUTREACH

In an effort to solicit input on the proposed program, Metro councilors and staff conducted meetings with local business associations and elected officials. Metro staff coordinated outreach efforts with the City of Portland, which was expanding its commercial recycling program at the same time.

Between February and May 2008, councilors and staff met with 13 business groups and five elected councils and boards (Table 1). The outreach efforts were supported by article submissions in local chamber newsletters, a survey and a web page. The program also received coverage in the Oregonian and other local publications.

The outreach efforts attracted a wide array of business representatives from across the region. More than 300 business representatives and elected officials participated in the meetings, and 68 surveys were completed at the meetings and online.

Table 1. Business Outreach Summary

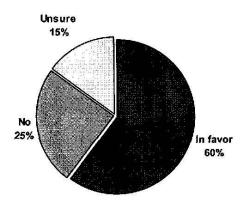
Organization	Outreach Format	Date
Building Owners and Managers Association	Breakfast forum	Feb. 6
Wilsonville Chamber of Commerce Governmental Affairs Committee	Membership meeting	Feb. 6
Oregon Lodging Association Board Members	Special meeting	Feb. 13
Westside Economic Alliance	Membership meeting	Feb. 20
Lake Oswego Chamber Governmental Affairs Committee	Membership meeting	Feb. 21
Recycling Advocates	Membership meeting	Feb. 29
Clackamas County Board of Commissioners	Work session	Feb. 26
Gresham Chamber of Commerce Governmental Affairs Committee	Membership meeting	Feb. 28
Wood Village City Council	Work session	March 11
Oregon City Chamber of Commerce Economic Development Committee	Membership meeting	March 13
North Clackamas Chamber of Commerce	Membership meeting	March 17
Milwaukie City Council	Work session	March 18
Lake Oswego City Council	Work session	April 1
Hillsboro Chamber Public Policy Committee	Membership meeting	April 2
Wilsonville Chamber of Commerce	Lunch forum	April 9
Hillsboro City Council	Work session	April 15
Sustainable Business Network	Lunch forum	April 16
Forest Grove Chamber of Commerce	Lunch forum	May 19
900 - 100 p. 100	1 VX 33 AND S	

KEY FINDINGS

Overall, participants agree that business recycling efforts can be improved. Both elected officials and business representatives expressed support for the overall objective of the program.

Although participants support increasing business recycling through expanded education and economic incentives, support for a regulatory approach varied. Some viewed a regulatory approach as a contingency strategy if economic incentives and education fail to increase participation, while others felt a mandate was necessary to make recycling a priority for businesses. This was reflected both in the meetings and in the survey responses. As shown in Figure 1, survey results show that 60 percent of the respondents support required recycling, while 25 percent did not and 15 percent were unsure (see Attachment A for full survey).

Figure 1. Business Support for Proposed Requirements



Source: Proposed Business Recycling Requirements Survey, Metro, 2008.

Key items identified by the participants during the meeting discussions and in survey comments included:

- Recycling is a benefit to businesses. Practicing waste reduction attracts customers, and employees want to recycle.
- Education and economic incentives are the best way to encourage businesses to recycle. Some businesses, however, will not make it a priority unless it is mandatory.
- Education efforts should be tailored to the needs of businesses and should be directed at the owner, manager and employee level. Educational materials should also be available for multi-tenant businesses and janitorial companies. Recycling messages need to be simple and consistent across the region.
- Government regulation should be used only if education and economic incentives fail to increase participation.
- Regulations should be implemented gradually. Six months is a sufficient amount of time for businesses to improve their recycling programs to meet the requirements.
 Consider delaying fines until after the requirements have been in effect for one year.

NEXT STEPS

The proposed program and stakeholder feedback will be presented to the Metro Solid Waste Advisory Committee and Metro Policy Advisory Committee between May and July 2008. The results will be presented to Metro Council in July 2008.

HOW TO GET MORE INFORMATION

For more information on the proposed Business Recycling Requirements contact:

Marta McGuire, Senior Planner Metro Solid Waste & Recycling Department (503) 797-1806 marta.mcguire@oregonmetro.gov

Or, visit www.oregonmetro.gov/businessrequirements

Attachment A: Proposed Business Recycling Requirements Survey Response Summary

Answer Options	Response Percent	Response Count
Office-related such as financial, medical, or professional service	55,6%	35
Personal services such as hairdresser or plumber	1.6%	1
A retail store selling goods	4.8%	3
Restaurant, fast food, or grocery	7,9%	5
School, library, or educational institution	4.8%	3 1
Hotel or motel	0.0%	0
Hospital or medical clinic	3.2%	2
Manufacturer	1.6%	1
Wholesaling or warehousing business	1.6%	1
Government agency	7.9%	5
Non-profit organization	11.1%	7
	Other (please specify)	6
	answered question	
	skippea question	

Answer Options	Response Percent	Response Count
Cardboard	92.6%	63
Office paper	91.2%	62
Newspaper	89.7%	61
Magazines, catalogs, phone books	85.3%	58
Plastic bottles	72.1%	49
Aluminum cans	82.4%	56
Steel cans	48.5%	33
Glass bottles	69.1%	47
	Other (please specify)	
	answered question	120 120 120 120 1212 1212
	skipped question	

3. Do you think businesses in the region should be required to recycle paper and containers?

		Response	Response
	r Options	Percent	Count
Yes		60.0%	39
No		24.6%	16
Unsure		15.4%	10
Comm	 -		
	YES!	40 EO	
•	How could you enforce this? Unless you lock trash bins, throw recyclables in the trash.	anyone could	
•	Use public award notifications that businesses can post.		
a. = 0	Make stronger voluntary program first.		
1	But encourage them with incentives.		
10.	Education should do the trick.		
-	What a shame it needs to be a requirement!		
<u> </u>	Reward system.		13
	Yes, if voluntary compliance is tried with renewed vigor work.	and it still doesn't	
-	My company's recycling program is handled by someone	e other than me.	
	The mandatory aspect is concerning. Just an example of communications & partnerships.	of poor	
J.B.	I think they would recycling-I think they want toI don't mandate is necessarily the best idea.	think a hard	
99222 2 11	This is a hostile idea to businesses, not very measurable unintended consequences.	e, & will have	
		nswered question	65
		skipped question	3

4. Does six months provide adequate time for your business to get its recycling program in compliance with the proposed requirements?

Answer Options	Response Percent	Count
Yes	85.2%	52
No	3,3%	2
Unsure	11.5%	7
	cling would be effective. Incentives and ms would be much more effective.	
	answered quest	ion 6
	skipped auest	ion

5. Has your waste hauler offered to provide your business with recycling services?

Answer Options	Response Percent	Response Count	
es_	54.0%	34	
40	9.5%	6	
Jnsure	36.5%	23	
Probably becaHome-based.	ve ""ask"" from the waste haulers. Buse we recycle a lot. Complex has recycling.	4	

6. Are you aware of the free technical assistance and resources provided by the Recycle at Work program?

Answer Options	Response Percent	Response Count	c la van van de deur
Yes	64.1%	41	
Vo	35.9%	23	
Comment: Not sure	extent of resources available.		
	answered question		64
	skipped question		3

7. Would you like a Recycling Specialist to follow up with your organization to provide free resources and assistance?

Answer Options	Response Percent	Response Count
Yes	17.5%	<u>10</u>
No	82.5%	47
	answered question	57
	skipped question	11

8. Do you have any questions you'd like us to answer for you regarding the proposed recycling requirements?

Answer Options	Response Percent	Response Count
Yes	10.7%	6
No	89.3%	50

8. Do you have any questions you'd like us to answer for you regarding the proposed recycling requirements? (continued)

Questions:

- RE: E-waste 1) get co's to reduce their waste, help my clients w/recycling resources (I'm a professional organizer).
- Don't feel that Metro should be requiring property owner to enforce recycling if tenant does own trash disposal service.
- Would Metro consider a partnership w/businesses to get out into schools & work w/recycling in schools & looking into ways that we can support each others efforts & educate ourselves? (This was clearer in my head than when I actually wrote it out!)
- Shred-It takes our paper recycling from our locations. Are they recycling this paper?

			THE REAL PROPERTY.	
776		Melet ?	stion	

sk	ipped	l aue.	stion	

56

9. Please provide your contact information so we may follow up with your request for assistance and/or any questions you may have.

Answer Options	Response Percent	Response Count
Name	92.5%	37 10 1
Title	80.0%	32
Organization	90.0%	36
Phone	80.0%	32
Email Address	87,5%	35.
	answered question	40
	skipped question	28

10. Please share any additional comments you may have regarding the proposed Business Recycling Requirements.

Response Count

Comments:

- This program should be national!
- Businesses and individuals need to get moving and recycle some more.
- I think mandated recycling is important. Our company has only very recently started doing any recycling, and it only happened because myself & coworker made it a priority. Before I was employed here, I didn't realize businesses that don't recycle still existed! People need to push.
- We have a RecycleWorks Award. Great work keep it up!
- We should dialog with manufacturers and get them to make products that lend themselves toward being recycled (eg: cradle to cradle manufacturing).
 Thank you much.
- I am very much in favor of recycling but I don't think you should require recycling. Business has economic incentive to do so-it lowers the garbage bill. Education is the key-educate business, show how it is economically better to recycle & they'll do it. There is enough government regulation without a recycling requirement. If you require recycling-make it apply only to large businesses with over a certain # of employees or waste.

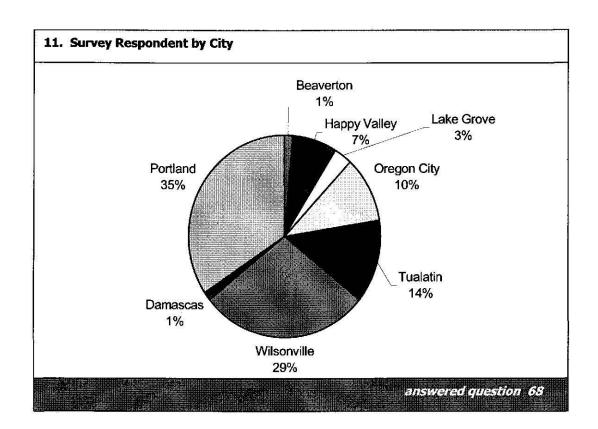
10. Please share any additional comments you may have regarding the proposed Business Recycling Requirements (continued).

Comments:

- Recycling Rocks!
- Let's find a way to help get education out there instead of a hard mandate (with financial consequences) on businesses....tenants only have so much control over their waste programs.
- Your target is arbitrary.
- As a chamber, we would be happy to partner with Metro to educate our businesses.
- I wasn't aware that shredded paper wasn't recyclable.
- #8, unless you have ideas on what else we might recycle.
- The answers I gave are primarily for our home. The guild is made up of individual artists and currently we have no location for recycling.
- I'm just a tenant in the executive suites, so I don't have a lot to do with recycling.

answered question skipped question 15

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ATTACHMENTS

SWAC Agenda Item IV May 22, 2008

Waste Allocation Project

Regional Solid Waste Advisory Committee May 22, 2008

Waste Allocation Project Update

The purposes of this agenda item are (1) to update SWAC on findings, Council feedback, and the proposed next steps in the project; and (2) to take comments and recommendations from SWAC.

Introduction

Reminder: what is the Waste Allocation Project?

- All but one of Metro's wet-waste regulatory instruments expire at the end of this year.
- The Waste Allocation Project will determine how much waste should be authorized in the new franchises and licenses that will take effect on January 1, 2009.
- However, waste allocations have widespread effects on collection rates, public and private disposal costs, the geographic distribution of services, and system efficiency.
- The first phase of the project is devoted to developing a consensus on the policy objectives
 that the allocations should serve. The second phase will be devoted to developing and
 evaluating options that meet the policy objectives; and making a recommendation to Metro
 Council.

Staff began this project at a Council Work Session last January. Since then, staff has touched base with other stakeholders:

Facility operators
Local government solid waste staff
Haulers

Staff updated the Council at a Work Session on May 5. This update to SWAC covers stakeholder comments and Council feedback to date.

Section I. Summary of Issues and Findings

Stakeholders were asked to identify issues and outcomes they want from the project. Following are the main issues affecting the public interest that emerged from the stakeholder discussions.

Issues are identified in boldface followed by a brief summary, including Metro staff's open questions. This list is informational; no weighting or prioritization has yet been done on the issues.

Private facility tip fees. Local government regulators, the Metro Council, and some haulers do not know whether private facilities charge a "fair" or "market" rate. (This is usually termed the "rate transparency" question.) Is "transparency" important? If so, how should it be addressed? Is rate review or regulation warranted? Would it be cost-effective? If so, what public body should do the regulating or review?

This was stakeholders' main hot button issue, so it is addressed in more detail on the next page.

Service provision. Should private facilities be <u>required</u> or simply <u>authorized</u> to provide (or prohibited from providing) additional services? Should provision of services be a *quid pro quo* for additional tonnage allocation? For example, if a facility commits to host hazardous waste collection events, should it be rewarded with a higher tonnage cap? Two services are mentioned most often:

- 1. Accepting waste from public self-haul customers (a separate study is under way).
- 2. Hosting household hazardous waste collection events.

Capacity. Two issues arise on capacity: efficiency and access. The efficiency claim is that the caps are too small for efficient operation, and this is a factor in the facility's tip fee. The access claim is that caps are too small to meet demand and some haulers must utilize more-distant facilities, putting more truck-miles on the highway.

Dry waste processing capacity. Most facilities perform both wet waste transfer and dry waste processing. Dry waste processing is more costly and uses more space than wet waste transfer. The concern is that increasing wet waste allocations may crowd-out dry waste processing capacity. Dry waste processing capacity is an especially critical issue with the implementation dates for the Enhanced Dry Waste Recovery Program looming.

Consistency with Disposal System Planning I. The main issue here is balancing private facility allocations with retaining sufficient tonnage for Metro's own transfer stations to remain economically viable.

Size-of-caps. Should caps be the same for all facilities? Should caps be variable, perhaps related to objective factors such as local demand? The policy basis for the current system is not clear to stakeholders. (Three facilities currently have the same cap; one facility—Columbia Environmental—has a lower cap; and one—Forest Grove Transfer Station—has no cap.)

Waste exports. Two issues arise on waste exports: system capacity and destination choice. The system capacity claim is: since the region already has excess wet waste transfer capacity,

Metro should look to utilizing that capacity before allowing waste to be exported. The destination choice issue involves the criteria by which Metro decides which out-of-district facilities may receive waste generated in the region. The Council has begun to address the latter issue with the *Landfill Standards Report* at a recent Work Session.

Metro rate model. The relative size of Metro's solid waste rate components (tonnage charge, transaction fees, Regional System Fee) have a major impact on the economics of private facility operations. The rate components are highly dependent on the cost allocation policy within Metro's rate model—specifically, which of Metro's solid waste costs are recovered from which rates. Resolution of these cost allocation policies would be a factor in the financial feasibility of several issues above.

Section II. More Detail on the "Rate Transparency" Issue Findings from Stakeholder Input on Private Facility Tip Fees

"Rate Transparency"

Based on comments, Metro Councilors and local governments do not believe that private facility tip fees are "transparent." Meaning: they do not know whether private tip fees relate to the cost of service or not. This opinion appears to derive from a belief that the disposal market system does not work to drive private tip fees down to competitive levels.

What is meant by "rate transparency"?

Basically, cost transparency: "we do not know the actual cost structure of private transfer stations as we do for other parts of the system" or how (or if) that cost structure relates to the tip fees charged.

What would the system do with rate transparency?

Local governments could use the knowledge to allow or disallow the appropriate disposal costs to enter local collection rates.

This is a mechanism by which the ratepayers would be protected.

What do the facility operators say about rate or cost transparency?

All private facility operators expressed willingness to "open their books" to their local government regulators.

Are there any barriers to such local government-private operator cooperation?

While local governments are experts on collection costs and rate-setting, many of them indicated they currently do not have the knowledge and/or the staff to interpret transfer station financial statements, and would seek some kind of help.

This help may come in the form of independent consultants, a regional users' group comprised of local government regulators, Metro resources, or another option to be determined.

What is the priority of this issue?

Metro Councilors and several local governments listed rate transparency as a "must-have" outcome of the waste allocation project. Councilor comments:

Cannot have: A system that does not prioritize benefits to residents.

Without a transparent system, any additional allocations cannot be shown to

be in the best interests of the public.

Prefer not: To move ahead with more allocations without better knowledge of the cost

and revenue structure of private transfer stations.

Section III. What Do We Do with Findings?

Certain issues are controlled by the critical path of another project and may not be resolved in time to affect this project. For example, later this year, the Self-Haul Study will forward recommendations on serving self-haul customers. At the time of this writing, the role of private transfer stations is unknown. This set of issues is addressed in Subsection A, below.

The remaining issues are addressed in Subsection B (next page).

A. Issues on Separate Critical Paths

The following issues are controlled by separate critical paths and may not be resolved in time to affect this project directly by the January 1, 2009 implementation date. For these issues, the new franchises and licenses can be written with placeholders or "reopener" clauses.

For example, if the Council later determines that private transfer stations must host hazardous waste collection events, the franchises can be amended mid-term.

Issue	Critical Path	Relation to this Project	
Self-haul at private transfer stations	Self-haul study	Private facilities may be part of the service delivery option; perhaps as a <i>quid pro quo</i> for more tonnage.	
Dry waste capacity	EDWRP implementation	Wet waste allocations cannot diminish availability of needed regional dry waste processing capacity.	
Destination of waste exports	Landfill standards study	If exports are curtailed, more waste remains in the region and available to increase utilization of capacity.	
Hazardous waste collection at private facilities	A new study on pros/cons, costs/benefits.	Private facilities may be part of a service delivery option; perhaps as a quid pro quo for more tonnage.	
Tip fee/rate transparency	A full study of the need, costs, and benefits of rate regulation would be a significant study.	If rate transparency cannot be resolved through local collection rate-setting, other options would be explored.	

B. Issues to be Resolved within this Project

For issues to be resolved within the project timeline (January 1, 2009), staff has drafted a *Planning Statement* that is intended to guide development, evaluation, and recommendations of options. This Planning Statement was developed from staff's interpretation of stakeholder input.

SWAC members are invited to comment on the Planning Statement.

Planning Statement

Objective of the Waste Allocation Project

Set putrescible waste allocations to the levels that maximize net ratepayer benefits, considering service delivery, and current and future costs.

Constraints

The objective will be optimized to the extent that:

- Private operators are able to attain normal profits for their industry.
- Local government regulators and ratepayers are satisfied with their access to information on the relationship between private facility costs and prices (disposal charges/tip fees).
- The solution does not:
 - o Constrain Metro's ability to meet the contractual obligations of its disposal contract;
 - o Constrain Metro's ability to meet its bond covenants while the covenants remain in effect;
 - Have a significant impact on Metro's transfer and transport contract prices;
 - o Materially reduce Metro's economic influence on the regional disposal system;
 - o Increase the risk of an interstate commerce challenge to Metro's system of flow control.

This objective and these constraints will be confirmed during the next steps in this project. Other constraints, if any, will be identified during the process and conveyed to Council for consideration.

Section IV. Next Steps Process Steps

Staff will next work with analysts and stakeholders to:

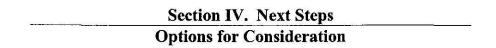
- 1. Determine if there are any omissions or fatal flaws in the Planning Statement (project objective and constraints); and to consider improvements in the Planning Statement.
- 2. Establish the criteria by which options (potential solutions) will be evaluated.
- 3. Generate options that satisfy the project objective and constraints.

After Step 3, staff will propose a check-in with the Metro Council. With Council approval, staff would work once again with analysts and stakeholders to determine the two or three top options and develop a recommendation.

The third step above involves answering at least two questions:

- A) What allocation or allocation method(s) satisfy the Planning Statement?
- B) What mechanisms will ensure that ratepayers realize the benefits?

In the next section, staff has provided some initial options for each of these questions for consideration and feedback by SWAC and stakeholders.



The following options are designed to stimulate discussion among stakeholders.

SWAC members may wish to comment on any of these options today.

A. Options for allocating waste

These options are designed to establish the actual tonnage allocations to facilities, or the method by which tonnage allocations would be determined.

- Status quo. Determine the allocations that reach an acceptable balance among
 (a) geographical equity, (b) fiscal effects on Metro, and (c) sufficient tonnage to allow economic operation by private facilities.
- Status quo with tweaks. For example, Metro could allow caps to grow in proportion to growth in local demand.
- Calculation. Determine the allocations that would optimize quantitative targets, such as
 meeting local demand and/or minimizing vehicle miles traveled. The Council has asked that
 the service area concept be revisited for this purpose. One stakeholder suggested that
 exclusive franchise territories for private transfer stations could also be considered.
- Quid pro quo. Metro could establish a menu of performance targets and services, and grant
 additional tonnage allocations in return for a facility's commitment to a set of menu options.
 Examples might include meeting recovery rates above the EDWRP minimums, hosting
 hazardous waste collection events, and accommodating self-haul.
- Market-driven, Options:
 - o Facility operators would purchase the amount of cap they need. Metro could either set a price (for example, the price that mitigates the fiscal impact on Metro), or the tonnage caps could be auctioned. A variation would be to re-authorize current caps, and let facility operators buy any additional tonnage authorization (or redeem any unneeded authorization).

 An overall allocation could be evenly distributed among the initial franchises, and Metro could allow private facilities to sell/trade tonnage authorizations among themselves.

If market conditions prevail, these options should result in a close-to-optimal allocation.

- Negotiation. Metro could negotiate an allocation that satisfies the public interest and that
 meets the project objectives and constraints.
- Combination of various features from the options above.
- Other options to be identified during the next phase of the project.

B. Options for delivering ratepayer benefits

These options would help ensure that ratepayers actually share in the intended benefits of any allocation decision. As discussed in Section III.A, service delivery options (e.g., accommodating self-haul) are on separate critical project paths.

The following options address the rate transparency/disposal cost issue.

- Status quo. The Disposal System Planning project confirmed that Metro's tip fee acts as a
 rough price ceiling on private tip fees. The region could continue to accept this passive
 mechanism for limiting disposal fees at private facilities. However, this option does not
 directly address the rate transparency issue. Nor does it admit the possibility that, in a market
 or regulated environment, private tip fees may be lower than Metro's, which would deliver
 even greater ratepayer benefits.
- Local government control. As discussed above, local governments are already in a position
 to protect ratepayers through their authority to allow or disallow disposal costs in their
 collection rate models.
- Competitive solution. Metro could determine if in fact the market currently acts to
 minimize tip fees. If not, Metro could attempt to establish the conditions that would allow
 the market to function effectively and efficiently (low barriers to entry and exit, minimal
 concentration of market power, full information on supply and demand, etc.) The feasibility
 of this option would have to be determined before investing too much faith in it.
- Rate Regulation. Metro could regulate rates at private transfer stations. The costeffectiveness of this solution would have to be researched before it becomes accepted as a
 feasible option.
- Combination of various features from the options above.
- Other options to be identified during the next phase of the project.

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